

CHARGE: 402(a)(3)—contained insects and insect filth; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 7-26-63. Corporation—\$252 fine; each individual—\$252 fine.

29069. Canned pinto beans. (F.D.C. No. 48661. S. No. 22-277 V.)

QUANTITY: 51 cases, each containing 24 15½-oz. cans, at Roswell, N. Mex.

SHIPPED: 11-28-62, from Denton, Tex., by Whitson Food Products Co.

LABEL IN PART: (Can) "Camp Fire Brand Pinto Beans * * * Packed by Whitson Food Products Co., Denton, Texas."

LIBELED: 3-5-63, Dist. N. Mex.

CHARGE: 402(a)(1)—when shipped, the article contained an added deleterious substance, namely, burrs with pointed, sharp, thorn-like barbs, which might render it injurious to health.

DISPOSITION: 4-12-63. Default—destruction.

29070. Canned green beans. (F.D.C. No. 49205. S. Nos. 28-810/11 X.)

QUANTITY: 150 cases, each containing 24 15½-oz cans, at Muncie, Kans.

SHIPPED: 5-31-63, from Kansas City, Mo., by Kay-Gee Sales Corp.

LABEL IN PART: (Can) "Linda Lee Cut Green Beans * * * Distributed by J. M. Werling & Son Warrensburg, Missouri."

LIBELED: 7-30-63, Dist. Kans.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 10-2-63. Default—destruction.

29071. Dried corn. (F.D.C. No. 49057. S. No. 25-581 X.)

QUANTITY: 38 50-lb. bags, at Avery, Ohio.

SHIPPED: 6-22-63, from Bluffton, Ind., by Pretzel Bitz Corp.

LABEL IN PART: (Tag) "Corn Open Pollinated Stowells Evergreen 13172 Ferry-Morse Seed Co."

LIBELED: 7-26-63, N. Dist. Ohio.

CHARGE: 402(a)(3)—contained insect larvae and pupae when shipped; and 402(a)(4)—held under insanitary conditions at shipper's warehouse.

DISPOSITION: 8-26-63. Default—destruction.

OILS AND FATS

29072. Table and cooking oil. (F.D.C. No. 48407. S. No. 40-649 V.)

QUANTITY: 46 cases, each containing 6 1-gal. cans, at Kearny, N.J.

SHIPPED: 10-15-62, from Brooklyn, N.Y., by Esposito Bros.

LABEL IN PART: (Can) "Violetta Brand Unsaturated or Hydrogenated * * * A Blend of 75% Pure Vegetable Oil Enriched with 25% Imported Olive Oil Esposito Bros. Brooklyn, N.Y. * * * Contents: Corn or Cottonseed - Peanut and Olive Oil."

RESULTS OF INVESTIGATION: Examination showed that the article was composed chiefly of cottonseed oil and a small amount of olive oil and an artificial olive oil flavor, and contained little or no corn oil or peanut oil.

LIBELED: 12-10-62, Dist. N.J.

CHARGE: 402(b)(4)—when shipped, artificial olive oil flavor had been added to the article or mixed or packed therewith so as to make it appear better or of greater value than it was; 403(a)—the label statement "Unsaturated or Hydrogenated" was false and misleading, since it was ambiguous, and the label statement "Contents: Corn or Cottonseed—Peanut and Olive Oil" was false and misleading, since the article contained little or no corn oil and no more than a trace of peanut oil; 403(i)(2)—the label of the article failed to bear the common or usual name of each ingredient, since the artificial olive oil flavor, ethyl butyrate, was not declared; and 403(k)—the article contained an artificial flavoring, namely, ethyl butyrate, and its labeling failed to state that fact.

DISPOSITION: 2-18-63. Consent—claimed by Esposito Bros., Brooklyn, N.Y., and relabeled.

29073. Table and cooking oil. (F.D.C. No. 48775. S. No. 11-291 V.)

QUANTITY: 145 cases, each containing 6 cans, at Buffalo, N.Y., in possession of Limco Importers, Inc.

SHIPPED: 2-9-63 and 2-26-63, from Opelousas, La., and New York, N.Y.

LABEL IN PART: (Can) "Net Contents One U.S. Gallon 128 Oz. Regina Brand * * * Blend of Oil Consisting of 90% Corn Oil and or cottonseed oil 10% Pure Olive Oil Distributed by Linda Food Products, Buffalo, New York."

RESULTS OF INVESTIGATION: The article was blended and packed by the dealer from bulk oils. The article was approximately 2 percent short volume.

LIBELED: 5-16-63, W. Dist. N.Y.

CHARGE: 403(a)—while held for sale, the label statement "90% Corn Oil and or Cottonseed Oil" was misleading in that it was ambiguous and failed to accurately inform consumers of the ingredients present in the article; and 403(e)(2)—the article failed to bear a label containing an accurate statement of quantity of contents, since the label statement "128 Oz." was inaccurate.

DISPOSITION: 7-15-63. Consent—claimed by Limco Importers, Inc., Buffalo, N.Y., for relabeling.

29074. Olive oil. (F.D.C. No. 48853. S. No. 43-122 V.)

QUANTITY: 1,776 cans, at Philadelphia, Pa.

SHIPPED: 8-10-62, from Imperia, Italy, by Pietro Salvo.

LABEL IN PART: (Can) "Rosa Brand Pure Olive Oil 100% Pure Italian Olive Oil * * * Net Contents One Full Half Pint Packed in Italy * * * For Rosa Food Product Co. * * * Philadelphia, Pa."

RESULTS OF INVESTIGATION: Examination showed that the article was 2.25 percent short in volume.

LIBELED: 5-1-63, E. Dist. Pa.

CHARGE: 403(e)(2)—when shipped, the label of the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 6-26-63. Consent—claimed by Rosa Food Products Co., of Philadelphia, Pa., and relabeled.

29075. Safflower shortening. (F.D.C. No. 47980. S. No. 22-393 T.)

QUANTITY: 70 cases, each containing 12 3-lb. cans, at Salt Lake City, Utah.

SHIPPED: 6-14-62, from Los Angeles, Calif., by San-Val Distributing Co.